

### **REMARKS/ARGUMENTS**

Applicant's base claim has been amended to delete a surplus "wherein" in subparagraph (c) which was inadvertently included in the claim as previously amended.

The Examiner has rejected Applicant's claims as obvious over a proposed combination of the teachings of Yamazaki et al ('954) in view of the teachings of Aubel et al ('087) and further in view of the teachings of Hashimoto et al ('057).

It is submitted that Applicant's claim 1 was amended previously to particularly recite that the recirculation conduit is connected to receive fuel from the outlet of the vent valve. Thus, in Applicant's system ALL vapor flow from the fuel tank to either the canister or the recirculation conduit 60 connected to the upper end of the filler tube below the nozzle seal is controlled by the valve.

In all three of the references relied upon by the Examiner, namely, Yamazaki et al, Hashimoto et al and Aubel et al, a recirculation vapor flow from the tank to the upper end of the filler tube is not controlled by the valve but is an open passage. In Yamazaki recirculation is through the conduit 27<sub>1</sub>; in Hashimoto recirculation is through the restricting orifice 18b and conduit 18; and, in Aubel recirculation is through the open passage 16 (see FIG. 6 of Aubel et al). Accordingly, it is submitted that Applicant's claims as presented herein patentably distinguish over the cited references; and, it is requested that the Examiner's rejections be withdrawn and the claims allowed.

Respectfully submitted,



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